

**THE NOTES BELOW REPRESENT NOTES
AFTER THE SECOND CHECK HAS BEEN
COMPLETED. NO FURTHER
DOCUMENTS WILL BE REVIEWED PRIOR
TO HEARING.**

Proposed Local Rules have been posted and can be viewed by visiting
<http://www.sbcounty.gov/courts/pdfs/misc/proposedrules.pdf>

The court welcomes your comments on these proposed rules. Please send them via E-mail to dmeyers@courts.sbcounty.gov or mail them to San Bernardino County Superior Court, 303 West Third Street, Mail Stop 240, San Bernardino, CA 92415. Comments are due by May 12, 2008. If sending comments close to the end of the comment period, please email only.

The Probate Examiners can be reached at ProbateNotes@courts.sbcounty.gov. Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

PROBATE

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600239

CASE NAME: EST OF JOHN C TOTH

HEARING:
Accounting Review

COUNSEL:
STEPHEN L TOTH (PET)...GUAY P WILSON
JOHN C TOTH (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters of administration issued 3/12/07, \$235,000 bond.
2. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

Clerk to notice bonding company.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700265

CASE NAME: BETTY STROUT

SEE ALSO 2A

HEARING:

FIRST & FINAL Account and Report of CLAUDIA J MERCHANT and
Petition for allowance of fees filed.

COUNSEL:

RICHARD N LARSEN (PET)...HORSPOOL & PARKER
BETTY STROUT (DEC)...
CLAUDIA J MERCHANT (PET)...FULLERTON LEMANN SCHAEFER & DO
DEPARTMENT OF HEALTH SERVICES (TP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON first and final accounting of Claudia Merchant.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. There were 2 claims filed by the Department of Health Care Services that were allowed and petitioner requests authority to pay the claims.
2. Did decedent's predeceased spouse receive health care benefits from the Department of Health Services? File verified supplement.
3. Statutory fees are \$5,894. Petitioner will split fees with Public Administrator with \$3,932.25 to petitioner and \$1,962.37 to the Public Administrator. Prior attorney and current attorney will use the same split.
4. Petitioner requests authority to pay counsel \$3,206.25 in extra-ordinary fees representing 10.2 hours at \$275 per hour for attorney and 5.35 hours at \$75 per hour. Amount is itemized.
5. File copy of bank statement to support assets on hand.
6. Accounting looks ok.

RECOMMENDATION:

Need correction of notes. If petition granted court will have to set future dates. Set hearing for filing of receipts and discharge for 5-11-09

FUTURE HEARING DATES:

4/13/09 Hearing re Final Discharge for Public Administrator

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700265

CASE NAME: BETTY STROUT

VACATED.

SEE ALSO 2

HEARING:
FIRST & FINAL Account and Report of RICHARD N LARSEN and
Petition for allowance of fees filed.

COUNSEL:
RICHARD N LARSEN (PET)...HORSPOOL & PARKER
BETTY STROUT (DEC)...
CLAUDIA J MERCHANT (PET)...FULLERTON LEMANN SCHAEFER & DO
DEPARTMENT OF HEALTH SERVICES (TP)...PRO/PER

Per clerk's office this matter is vacated.
FUTURE HEARING DATES:
4/13/09 Hearing re Final Discharge

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700301

CASE NAME: GEORGE JOHNSON

HEARING:

FIRST & FINAL Account and Report of EFREM SARGENT and Petition for fees

COUNSEL:

EFREM SARGENT (PET)...LAW OFFICE OF ROBIN D CHOW

GEORGE JOHNSON (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Fees and Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner is sole beneficiary as assignee and waives an accounting and statutory compensation.
2. Attorney requests statutory fees of \$9,620.76. However, attorney has included the amount of a loan in this statutory fee calculation. Statutory fees are based on the appraisal value and gains or losses on sales without reference to encumbrances (Pr.C.§10800). Need authority to include the amount of a loan in the calculation of the statutory fees. Alternatively, court may wish to approve the statutory fee in the amount of \$7,200.00 based on the appraisal value of the estate. **Supplement filed. Petitioner's attorney alleges that a loan obtained by the administrator in the amount of \$121,000 shall be classified as a "receipt". Counsel alleges receipts are to be included in the calculation of the statutory fees. Judge to decide**
3. Attorney requests extraordinary fees of \$4,875.00. The court will generally not consider awarding extra-ordinary fees until the executor and/or counsel establish that all ordinary fees have actually been earned. (In re Walker's Estate (1963) 221 Cal. App. 2d 792). However, it appears the attorney's declaration in support of extraordinary fees is incomplete as page 17 of the report is missing/not included. Please file a complete declaration in support of extraordinary fees. **Supplement filed. Petitioner's attorney states that she preformed services on concerning the real property of the estate and initially advised client on the sale of the real property. Additionally attorney states that she advised client, loan broker and escrow office regarding how administrator could obtain a loan. Judge to decide**

4. Graduated filing fee schedule filed showing overpayment of fees. Petitioner requests refund of \$65.00 to the estate

RECOMMENDATION:

Need court's ruling on notes 2 and 3. If approved, court to set hearing re filing receipts and final discharge for **5/11/09**.

(kra/cbr).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700827

CASE NAME: THOMAS RANDEL GRACE

HEARING:

Petition for WAIVER OF APPRAISAL BY REFEREE AND FOR VACATION
OF HRG DATE FOR INVENTORY & APPRAISAL

COUNSEL:

DORIS J GRACE (PET)...PRO/PER
THOMAS RANDEL GRACE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for waiver of appraisal by the probate referee

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges the estate contains no assets and that the estate is insolvent. Petitioner alleges the estimated estate value listed on the petition for probate was based on a vehicle that is found not to be a probate asset and a Paypal account in the amount of \$1,000.00. Petitioner alleges petitioner's efforts to obtain the money from the Paypal account have been unsuccessful. It appears the only asset in the estate is the Paypal account which is a cash asset; thus, no appraisal by the probate referee is needed. Court may wish to require petitioner to continue efforts to marshal the assets by contacting Paypal and showing court order and letters. **Supplement filed indicating Paypal has responded confirming that the decedent's account has a negative balance of \$316.65. Petitioner alleges that Paypal has elected to cease any collection efforts.**
2. Petitioner states that the creditor claims have been filed in excess of \$11,000 and petitioner has advanced \$11,184.80 on behalf of the estate. As the debts of the estate are greater than its assets petitioner requests a waiver of appraisal by the probate referee and the hearing re I&A be vacated. As there are no non-cash assets to be appraised the matter of appraisal by the probate referee is moot. However, Petitioner has filed a final I&A; need corrected I&A (see note 3).

3. Final I&A filed indicating a zero balance. However, attachment 1 indicates a Paypal account in the amount of \$1,000.00. Need Corrected I&A.
Supplemental Inventory and Appraisal filed indicating a zero balance.

RECOMMENDATION:

Court's discretion.

(kra/cbr)

FUTURE HEARING DATES:

6/04/08 Hearing re: Inventory and appraisal

1/28/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700841

CASE NAME: FRANK L SCRIVEN

HEARING:

FIRST & FINAL Account and Report of RONALD B SCRIVEN and
Petition for allowance of fees filed.

COUNSEL:

RONALD B SCRIVEN (PET)...ELISABETH KEMPE-OLINGER
FRANK L SCRIVEN (DEC)...
KEY NATIONAL FUNDING LLC (TP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final
distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner and attorney request statutory fees of \$8,248.91 each. Calculation ok.
2. Attorney requests extraordinary fees of \$744.00 for services related to the sale
of real property. Billing based on a rate of \$240/hour for 3.1 hours. Itemized.
JTD
3. Petitioner requests to withhold \$1,500 for closing expenses.

RECOMMENDATION:

Recommend for approval absent objections. If approved, court to set hearing re filing
receipts and final discharge for **5/11/09**.

(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700863

CASE NAME: MARGARET JANE PETERSEN

VACATED- FINAL I&A FILED.

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
CLAIRE E. REID-BINKS (PET)...BEVERLY A. SPARROW
MARGARET JANE PETERSEN (DEC)...

(kra)

FUTURE HEARING DATES:
12/29/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700883

CASE NAME: HAROLD EDWIN HESTER

VACATED- FINAL I&A FILED.

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
CHRISTINE HESTER-BIRCH (PET)...DALE K BETHEL
HAROLD EDWIN HESTER (DEC)...

(kra)

FUTURE HEARING DATES:
12/29/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700887

CASE NAME: LUIS ALBERTO SANCHEZ JR.

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

MARIA L. DOERZAPF (PET)...CHARLIE D BARB
LUIS ALBERTO SANCHEZ JR (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters of administration issued 10/22/07, no bond.
2. No inventory filed. Need final I&A

RECOMMENDATION:

Inquire status. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. §8804 and/or 8505.

(kra).

FUTURE HEARING DATES:

12/29/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0701065

CASE NAME: RICHARD L. CHILSON & HEDY A CHILSON TRUST

SEE ALSO 9A

HEARING:

Petition for OF BENEFICIARY PATRICK L CHILSON TO REMOVE TRUSTEE
S AND TO COMPEL TRUSTEES TO ACCOUNT, AND ETC

COUNSEL:

PATRICK L. CHILSON	(PET)...	STEWART R ALBERTSON
DONALD W CHILSON	(TEE)...	BANKS GARCIA & JANIS
JILL JAMESON	(BANKS GARCIA & JANIS	)...BANKS GAR
LORRAINE GARCIA	(BANKS GARCIA & JANIS	)...BANKS GAR

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to remove trustee; appoint successor trustee; and to compel trustees to account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. In 1995 Richard and Hedy Chilson established a trust which became irrevocable upon the death of the surviving spouse Richard Chilson on 6/25/04. Petitioner is the only son of decedent Richard Chilson and a beneficiary of the Trust; Hedy Chilson's children are Robin Carlisle and Jill Jameson (also beneficiaries of the Trust).
2. The current trustees are Donald Chilson, Lorraine Garcia and Jill Jameson.
3. As the trust provided for immediate distribution to Hedy Chilson's issue and distribution to Patrick Chilson is to be held in trust, question if the trust now consists of trust assets belonging solely to petitioner.
4. Petitioner alleges the trustees have failed to prudently invest the trust's cash assets, collect rent on real property that was occupied by a tenant, and failed to protect personal property of the estate.

5. Petitioner alleges the trustees failed to provide distribution for medical costs as required in the trust. Petitioner alleges that in 2004 petitioner requested funds for health insurance and medical treatment; that the trustees only paid some of the expenses in 2005; however, petitioner is now uninsurable because the medical condition is now considered preexisting.
6. Petitioner requests and accounting pursuant to Pr.C. §§ 16061, 16062, 16063 and 17200. The court has the power to compel the trustee to report information about the trust or to account if the trustee fails to submit the report within 60 days after written demand and no report or account has been made within six months preceding the request. (Pr.C. § 17200(b)(7)) Petitioner merely states that the accounting provided in 2007 is unclear and trustee's attorney will not let petitioner talk to the C.P.A. who did the accounting. This does not present the necessary allegations to allow the court to order an accounting.
7. Petitioner requests that the court remove the current trustees for breach of fiduciary duty and replace them with Larry Dean. Petitioner requests that the trustees be surcharged in an amount to be determined at trial and that the trustees be required to reimburse petitioner for attorney fees and costs.
8. A motion to strike portions of the current petition is scheduled for hearing on 6-10-08. At present that motion is unopposed. This matter cannot proceed until the motion to strike is resolved.

RECOMMENDATION:

Court will have to resolve issue of the motion to strike prior proceeding with this petition. Suggest this matter go over to 6-10-08 to trail the motion to strike.

KRA/NMT

FUTURE HEARING DATES:

6/10/08 Hearing Re: NTC AND MTN TO STRIKE PORTIONS OF PETITION, ETC

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0701065

CASE NAME: RICHARD L. CHILSON & HEDY A CHILSON TRUST

SEE ALSO 9A

HEARING:
Petition for INSTRUCTIONS

COUNSEL:

PATRICK L. CHILSON	(PET)...	STEWART R ALBERTSON
DONALD W CHILSON	(TEE)...	BANKS GARCIA & JANIS
JILL JAMESON	(BANKS GARCIA & JANIS	)...BANKS GAR
LORRAINE GARCIA	(BANKS GARCIA & JANIS	)...BANKS GAR

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition for instructions.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners are the trustees. They contend that the trust in relationship to Patrick Chilson only allows them to use the income from the trust to benefit Mr. Chilson. They worked out a monthly payment system for use of the assets to pay Mr. Chilson. At the end of the year there was an additional \$13,300 in earnings that were not distributed to Mr. Chilson. Mr. Chilson alleges that he has extensive dental bills that need to be paid and needs the money. The petitioners request that the unused income not be deemed to have become principal and request an order that the assets be distributed to Mr. Chilson.
2. A trustee may seek instruction from the court. Pr.C. § 17200(b)(6).
3. While not mentioned in the moving papers, it would appear that the portion of the trust that is relevant to this request would be Eight.E.1 and 2 (tabbed). Paragraph 1 indicates that as much of the net income of the trust that is necessary for Mr. Chilson's food, shelter, clothing, medical costs and education, taking into consideration any other income he may have, shall be paid to him. Hence, petitioners appear to be correct that net income only may be used for Mr. Chilson's benefit. Paragraph 2 indicates that any net income not distributed to Mr. Chilson

shall be added to the principal. The paragraph does not indicate at what point the income shall become principal. Merely that if it is not used as directed it shall become principal. It would therefore appear that if the unused income has not yet been treated as principal it might still be considered income and used for Mr. Chilson's benefit. The problems with the pleading is that it does not address whether any other income of Mr. Chilson has been taken into consideration before making the within request, as is required in paragraph 1. it should be noted that in the petition indicates that at the beginning of 2007 the trustees agreed that Mr. Chilson needed \$3,750 per month income, but due to unanticipated trust expenses only distributed \$2,750 per month to him. The petition does not indicate how the trustees reached this determination.

4. There is no opposition in the file at the time of this review.
5. Notice is insufficient. Notice required is 30 days. Here we have only 25 days including 1st day and day of hearing. Require proper notice.

RECOMMENDATION: Require proper notice. Then court's discretion.

NMT

FUTURE HEARING DATES:

6/10/08 Hearing Re: NTC AND MTN TO STRIKE PORTIONS OF PETITION, ETC

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800103

CASE NAME: LEROY C WIDENER

HEARING:
Spousal Property Petition hearing.

COUNSEL:
MARGUERITE ELIZABETH WIDENER (PET)...PRO/PER
LEROY C WIDENER (DEC)...

GENERAL INFORMATION:
Continued from 3/24/08 at request of petitioner.

THIS CASE SET FOR HEARING ON Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Decedent was not domiciled in the State of California, but owned real property in Victorville, CA. The real property is decedent's separate property; petitioner includes a certified copy of an order approving distribution from decedent's father's estate to decedent. Petitioner is surviving spouse and requests the transfer of decedent's separate property to petitioner as sole beneficiary in accordance with decedent's will. A copy of the will is attached.

RECOMMENDATION
Court's discretion.
(cbr/kra/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800125

CASE NAME: 2007 DUSTIN WEIBLER IRREVOCABLE SPECIAL NEEDS TRUS

HEARING:

Petition for REVIEW OF COMPLIANCE W/ ORDER CREATING TRUST; FOR
COMPENSATION FOR CAREGIVER & PURCHASE RESIDENC

COUNSEL:

DANA CHUHA

(TEE)...BRIERTON, JONES & JONES

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Review of compliance with order creating SNT
and petition for fees and authority to purchase residence

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 4/27/07 court approved a compromise and creation of Special Needs Trust order. Dustin Weibler is the beneficiary of the Special Needs Trust. Mr. Weibler is an adult. Petitioner is the mother of Mr. Weibler and trustee of the Special Needs Trust. Dustin has a severe brain injury resulting from an attempted suicide. The trust has received cash distributions of \$796,597.00 and beginning 6/1/07 will receive a monthly annuity income of \$2,000 (\$24,000/year) for the next 15-20 years after which the trust will receive lump sum payments of \$70,000 in 2013 and \$100,000 in 2023. Bond is posted in the amount of \$870,000
2. Petitioner, as trustee of the trust, requests authority to purchase a residence solely or jointly with petitioner and her spouse for a purchase price not to exceed \$500,000. If the residence is purchased jointly, all interest and debts/maintenance shall be held and paid in proportion to the amount contributed to the purchase of the residence. Title would be taken as tenants in common and in a proportion to what each paid. For example, if the trust pays \$400,000 and petitioner and her husband pay \$100,000, the deed would reflect an 80% interest in the trust and 20% interest in petitioner and her husband. Petitioner's spouse consents by joinder filed.

3. Petitioner requests to pay herself a total of \$63,000 as a monthly compensation of \$1,932.00 from 11/1/02 – 3/1/08. This amount also include \$1,000 from 10-23-02 (date of injury) to 11-1-02. Petitioner requests payment as of the first month following Dustin Weibler's injury. Petitioner contends that she provides Mr. Weibler with the care he needs at a greatly reduced cost over what it would cost to bring in a LVN. Petitioner alleges that Mr. Weibler's health is such that he is not able to care for his daily needs, but is aware of his condition and exhibits frustration and emotional upset frequently. Petitioner contends that Mr. Weibler requires daily companionship and emotional attention to alleviate his frustration and upset. Petitioner contends that she is entitled to payment for the time that Mr. Weibler was in the hospital as she spent 630 hours at his bedside.
4. Petitioner requests authority to pay herself \$1,932.00 monthly (\$23,184/year) from the annuity income.

RECOMMENDATION:

Court's discretion.

(kra/nmt/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800105

CASE NAME: MARTHA W. WHITEHEAD-WILLIAMS

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

TRACY SPRINGER (PET)...HOWARD R HAWKINS
MARTHA W. WHITEHEAD-WILLIAMS (DEC)..

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests bond of \$250,000. Appears adequate. JTD

RECOMMENDATION:

Recommended for approval absent objection. Set hearing on filing inventory and appraisal for 12-8-08. Set hearing on accounting review for 7-13-09. Accounting to be filed 30 days in advance.
(GLS/NMT)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800127

CASE NAME: MARIA CORONADO REVOCABLE TRUST DATED 9/24/03

HEARING:
Petition for ORDER INSTRUCTING TRUSTEE

COUNSEL:
ROXANNA M SOTO (PET)...HARTNELL, LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition for order instructing trustee

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner is the successor trustee and a beneficiary of the Maria Coronado Trust which became irrevocable upon the death of trustee on 4/17/07.
2. Petitioner alleges that the decedent did transfer title of the real property located on Carmelita Lane, San Bernardino by way of quitclaim at the time of creation of the trust, but that quitclaim deed was never recorded. The quitclaim deed cannot be recorded as there is a gap in the title, because prior to decedent's death and after the creation of the trust, the property was refinanced and a deed of trust was signed. Petitioner requests, through *Estate of Heggstad* (1993) 16 Cal. App. 4th 943 to complete the transfer of the specific real property into the name of the Trust.
3. The discussion concerning the issue of the refinance is rather vague in the petition. Did the petitioner actually remove the asset from the trust at the time of refinance? If so, then the original designation as a trust asset no longer exists and *Heggstad* likely does not apply. File verified supplement explaining.
4. The trust indicates the second beneficiary is a minor. Court may wish inquire if Sandra Coronado is still a minor and if so, court may wish to appoint a guardian ad litem or counsel for minor.

RECOMMENDATION:
Need verified supplement on number 3.
(kra/nmt)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800131

CASE NAME: JAMES M. MCCLEERY

HEARING:

Petition for DETERMINE AN ESTATE INTEREST IN REAL PROPERTY

COUNSEL:

DEANN KAY MCCLUNG (PET)...WILLIAM M NASSAR & ASSOCIATES
JAMES M MCCLEERY (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to Determine interest in real property
Pr.C.§850

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner has filed a Pr.C. § 850 petition pursuant to Pr.C. § 850(a)(2)(B) without first filing a petition for probate. It appears that no action for probate has been filed. If there is no action pending for probate question how an 850 petition can be brought. There is no one to serve with the petition. There is no representative of the estate. Judge to decide if a petition for probate must first be filed before this action can proceed.
2. While the petitioner indicates that this action is brought pursuant to Pr.C. § 850(a)(2)(B) she also says at Page 4, lines 9-12 that upon the sale of the property, she as the trustee will distribute according to the trust of the decedent. Is she then bringing this action as the trustee? As such, the proper section would be Pr.C. § 850(a)(3)(B). Also if the action is properly under that section then we need a copy of the trust.
3. An additional problem is that the neither the petitioner or the alleged Marital Settlement Agreement offer any clue as to what the interests of the decedent and the surviving spouse might have actually been in the property. All the agreement says is that they are to receive their respective shares as required by law.
4. Petitioner offers little in the way of authority to establish the validity of her position. Petitioner offers one case *Sanborn v Sanborn* 3 Cal. App. 2nd 437 for

the premise that contracts between husbands and wives under Ca. Civ. Code § 159 are valid if not procured by fraud. That code section was repealed in 1969. Petitioner offers no current information on a code section that might have replaced the old code section. Petition then cites Ca. Civ. Code § 1550 and indicates that all of the elements of a contract are contained in the agreement. What petition doesn't offer is any authority for the premise that a settlement agreement made in anticipation of a dissolution is valid if the dissolution action is terminated by operation of law upon the death of one of the spouses. File verified supplement.

5. Need notice of hearing and proof of service.
6. Petitioner is decedent's daughter and successor trustee of the James McCleery Trust dated 9/14/07. Need copy of trust.
7. Petitioner alleges decedent purchased real property in Apple Valley in 1990 as his sole and separate property. Decedent married Deborah McCleery in 2002 and on 8/5/05 the property was refinanced and title was changed to be held jointly by James and Deborah McCleery. On 4/30/07 James and Deborah entered into a Marital Settlement Agreement wherein the parties agreed to sell the real property and the parties to "be awarded their respective share of the remaining equity as required by law". Decedent died 11/9/07 and the listing agreement signed by James and Deborah extends to 7/25/08.
8. Petitioner requests that the court confirm the validity of the marital agreement and that the estate of James McCleery retain its interest in the real property. Whatever interest that might be.
9. Objections filed by decedent's spouse Deborah McCleery.

RECOMMENDATION:

Need notice and verified supplements with authority for the action sought. Need court's ruling on whether a probate action needs to be filed prior to bringing this action, or if the petitioner may amend to request that this action be brought pursuant to Pr.C. § 17200 in addition to Pr.C. § 850, or if this action stand alone. Thereafter, Court may wish to set contested hearing.

(kra/nmt/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800147

CASE NAME: VELMA DONA YINGST

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

WELLS FARGO BANK, N.A. (PET)...MIRAU, EDWARDS, CANNON, LEWIN
VELMA DONA YINGST (DEC)...
ROBERT REES (TP)...LAYNE A BARTHOLOMEW
DEBORAH L CRUMRINE (LAYNE A BARTHOLOMEW)...LAYNE A B

GENERAL INFORMATION: **Continued at request of counsel from 4-10-08.**

THIS CASE IS SET FOR HEARING ON Petition for Probate of "Lost" Will and for Letters
Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests that bond be waived as petitioner is a corporate fiduciary.
JTD
2. Due diligence declaration re efforts to ascertain names and addresses of
beneficiaries is filed alleging that the addresses of Kelly Rees, Debbie Rees
and Robert W. Rees, Jr. (children of decedent's predeceased sister).
Counsel's paralegal alleges that at the commencement of the proceedings,
she spoke with decedent's surviving aunt and her spouse. The family had
sketchy, outdated information. Counsel's paralegal also checked phone
listings, conducted a search of various websites, checked with a personal
assistant for the furniture store in which decedent was a partner, but no
addresses have been able to be located. Does court wish to require an heir
search to be completed in order to locate the whereabouts of these
beneficiaries? JTD
3. Petitioner alleges the original Will is lost. Need declaration to overcome the
presumption that the will was destroyed per Pr.C. §6124.

RECOMMENDATION:

Need to correct note 3 and need court's ruling on notes 1 & 2. If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 12-8-08. Set hearing for filing of accounting and/or status report for 7-13-09. Any accounting to be filed 30 days in advance.

(GLS/NMT)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800253

CASE NAME: SELMA S. KELLER

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

EDGAR C KELLER	(PET)...MARTIN E KELLER
SELMA S KELLER	(DEC)...

GENERAL INFORMATION special letters issued 4-9-08

THIS CASE IS SET FOR HEARING ON Petition for probate with full I.A.E.A. and no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. File proof of publication.
3. File notice of petition to administer estate.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 12-8-08. Set hearing for filing of accounting and/or status report for 7-13-09. Any accounting to be filed 30 days in advance.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS05099

CASE NAME: ESTATE OF HERMAN L. SCHROEDER

HEARING:

Petition for ADMIT WILL TO PROBATE AND TO DETERMINE THE
ENTITLEMENT TO DISTRIBUTION FROM ESTATE

COUNSEL:

LAWRENCE SCHROEDER (PET)...BRYAN C. HARTNELL
HERMAN L. SCHROEDER (DEC)...
CHALAM SWEET (TP)...JAMES B CHURCH

GENERAL INFORMATION:

Continued from 3/24/08 as matter is set for evidentiary hearing but to be handled by written declaration/supplement.

THIS CASE SET FOR HEARING ON Petition to admit will and determine entitlement

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Decedent died 4/22/00. Letters of administration issued to decedent's son, Lawrence Schroeder 12/27/02 with Limited powers. Full authority under IAEA granted 10/3/06 and new letters were issued.
2. Petitioner, Chalam Sweet, is a non-relative friend of decedent, submits a holographic will dated 11/26/99. The will is hand written in a printed form and the signature of the testator is in long hand, and appears to be of a different hand. The will is witnessed and petitioner has filed Proof of Subscribing Witness. However, as this is a holographic will, need Proof of Holographic Instrument.
3. Also, the will is notarized by a notary of the State of Texas in the State of California without an attestation under the authority of the State of California. It is not clear why a Texas notary acknowledged a will executed in the State of California. Need verified supplement.
4. Petitioner requests that the court admit decedent's will to probate. However, several issues arise:

- a. Question whether petitioner was the custodian of the will. The custodian of a will shall lodge the will with the clerk within 30 days after having knowledge of the death of the testator. (Pr.C. §8200)
 - b. If the proponent of the will was noticed of the petition for letters, question when did petitioner obtained knowledge of the will's existence. If the proponent of a will was noticed of the petition, the proponent may petition for probate of the will only within the later of either of the following: 1) 120 days after issuance of the determining the decedent to be intestate, or 2) 60 days after the proponent of the will first obtains knowledge of the will. The first question is whether the petitioner received notice of the petition for letters. If so, it appears that in the first case it is well after 120 days since the issuance of letters. Therefore it must be determined if the petition for probate falls within 60 days after there was knowledge of the will. The will was lodged with the court on 10/24/07 and the Petition to Admit Will was filed on 2/1/08, which is apparently more than 60 days after petitioner came to know of the will's existence. However, it does not appear that petitioner was noticed of the petition for administration. If petitioner had not received notice of the petition for letters, need points & authorities under what authority the will may be admitted.
5. Petitioner merely notes that preliminary distributions have been made and does not request the court affect the property already distributed, but requests the court determine entitlement to distribution of the estate. If this will is admitted, the will may not affect property previously distributed, but the court may determine how any provision of the will affects property not yet distributed Pr.C. §8226(b).

RECOMMENDATION:

Need to clear notes. Court may wish to set matter for evidentiary hearing.

FUTURE HEARING DATES:

1/08/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06671

CASE NAME: EST OF BENETTA B REEVES CRAWFORD

SEE ALSO 16 & 17

HEARING:

Hearing Re: Petition for Removal of Riley Crawford.

COUNSEL:

BENJAMIN REEVES (PET)...JACK B OSBORN
BENETTA B REEVES CRAWFORD (DEC)...
RILEY CRAWFORD (PET)...JUDITH L HUBERT

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for removal of administrator, Riley Crawford

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. No moving documents. Matter set at time of hearing re accounting review on 3/17/08 as Attorney Jack Osborn stated that he would file a petition for removal of Riley Crawford for failure to act. However, no such petition was filed at the time of review of this file.

RECOMMENDATION:

None.
(kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06671

CASE NAME: EST OF BENETTA B REEVES CRAWFORD
SEE ALSO 15 & 17

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

BENJAMIN REEVES (PET)...JACK B OSBORN
BENETTA B REEVES CRAWFORD (DEC)...
RILEY CRAWFORD (PET)...JUDITH L HUBERT

GENERAL INFORMATION:

Continued from 3/17/08 for Attorney Hubert to contact client regarding jewelry and bills. OSC re sanctions dismissed as appearance was made.

THIS CASE IS SET FOR HEARING ON inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 9/17/07 hearing re I&A taken off-calendar as final I&A was filed that date. Matter placed back on calendar as the following issues are raised:
 - a. Attachment 1, items 1-7, are appraised by the personal representative supported by copies of independent appraisals with dates of 1/4/85, 2/28/02, and an insurance policy dated 4/26/02. Decedent died 8/30/05. The appraisal values should reflect the value of the estate as of date of death. Also, as these are assets other than cash, these items must be appraised by the probate referee Pr.C. §8902.
 - b. Among the supporting documents is a copy of an appraisal dated 3/22/02 wherein two items are listed. These items do not appear to be listed on the Inventory Attachment 1 or 2. Final inventory should list all assets of the estate.
 - c. Attachment 1, Item 8 lists a vehicle with an unknown value. This asset must be appraised by the probate referee Pr.C. §8902.
 - d. Need a Corrected Final Inventory & Appraisal.

RECOMMENDATION:

Need a corrected final I&A. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. §8505.

(/KRA/kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06671

CASE NAME: EST OF BENETTA B REEVES CRAWFORD
SEE ALSO 15 & 16

HEARING:
Accounting Review

COUNSEL:
BENJAMIN REEVES (PET)...JACK B OSBORN
BENETTA B REEVES CRAWFORD (DEC)...
RILEY CRAWFORD (PET)...JUDITH L HUBERT

GENERAL INFORMATION:

Continued from 11/19/07 at request of counsel to clear notes. Nothing new filed.
Continued from 1/14/08. I&A is due by prior administrator Riley Crawford. Accounting to be filed by Benjamin Reeves once the I&A is filed. Citation issued to Judith Hubert and Riley Crawford re filing of I&A.

Continued from 3/17/08. Attorney Hubert states there is no money in the estate. Attorney Osborn states that he will file a petition for removal for failure to act.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Benjamin Reeves was issued Letter of Special Administration on 12/15/05. On 1/27/06 Riley Crawford was appointed Administrator with \$20,000 bond. General Letters were issued to Riley Crawford on 3/9/06; however, no bond was posted causing the letters issued to Riley Crawford to be deemed invalid. On 5/14/07 court orders "petition amended by interlineation to request limited authority. With that amendment a bond will not be required and the letters may be issued". However, the minute order is unclear as to whether Letters needed to be re-issued or if the current letters are now valid. JTD
2. On 1/14/07 the court ordered Benjamin Reeves to file an accounting once the I&A is filed. As Benjamin Reeves was appointed Special Administrator it appears the accounting due would be for the period in which he served as special administrator.

However, the court is not requiring this accounting until the I&A is filed which would appear to be irrelevant to the accounting of special administration, as Benjamin Reeves should be aware of the assets that were in his possession. Does court wish to require Benjamin Reeves to file an accounting regardless whether the I&A is filed? JTD

3. No accounting filed.
4. Per the 1/14/08 scratch notes Benjamin Reeves was to file a petition to remove Riley Crawford as administrator. No petition filed to date.

RECOMMENDATION:

Court's determination re Letters of Administration and Special Administrator's accounting. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

(/KRA/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06893

CASE NAME: EST OF SARA J CARLOS

HEARING:
SECOND AND FINAL Account and Report of ELENA SKIDMORE and
Petition for allowance of fees filed.

COUNSEL:
ELENA SKIDMORE (PET)...ELISABETH KEMPE-OLINGER
SARA J CARLOS (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 2nd & final account and petition for fees and final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Receipts are filed for the preliminary distributions approved upon the first account.
2. Attorney requests statutory fees of \$18,436.94 less \$13,650.00 preliminary payment approved upon the first account for a total of \$4,786.94
3. Attorney requests extraordinary fees of \$3,500.00 for services connected with the sale of 3 properties and the establishment of a blocked account. Billing is based on a rate of \$250/hour for 14 hours. Itemized. JTD
4. Petitioner requests authorization to withdraw all funds held in a blocked account in order to pay the fees and distribute the balance to the beneficiaries.

RECOMMENDATION:

If approved, court to set hearing re filing receipts and final discharge for **5/11/09**.
(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06963

CASE NAME: ESTATE OF JUNE B. DAVIS

HEARING:
Hearing re Final Discharge

COUNSEL:
JOANNE B. ROBERTS (PET)...BRYAN C. HARTNELL
JUNE B. DAVIS (DEC)...

GENERAL INFORMATION:

Continued from 3/17/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final distribution approved 3/12/07.
2. No receipts or final discharge filed.

RECOMMENDATION:

Inquire status. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505. There is no bonding company to notice (kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07167

CASE NAME: RE: THE EASLEY FAMILY TRUST

HEARING:

Petition for TO COMPEL A TRSUTEE TO ACCT FOR A TRUST AND REPORT
THE ACTIONS OF THE TRUSTEE AND FOR INSTT

COUNSEL:

CHERYL STUMP (PET)...JAMES B CHURCH

GENERAL INFORMATION

Continued from 3/1/07, 5/17/07, 6/28/07, 8/2/07, 11/8/07 and 01/14/08 Counsel states there might be a possible settlement. Nothing new filed.

Continued from 3/24/08 for settlement to be reviewed by all parties and filed with the court. Nothing new filed.

THIS CASE IS SET FOR HEARING ON compel the trustee to account for trust and report actions of the trustee and for instructions.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The Easley Trust was created by Edward Easley on 8-23-01. On 12-1-03 Edward and Judith Easley created second amended and restated trust. Petitioner alleges that she is unsure how a non-settlor joined in the creation of the amendment. Edward and Judith again amended the trust on 2-19-04. Edward died on 11-11-05. Judith is the surviving trustor and surviving co-trustee.
2. Petitioner requests, "Petitioner submits this petition to request that this Court instruct the Trustee to clarify for the beneficiaries the issues associated with the proper administration of the Trust." (Page 2, lines 23-25) I do not know what this means, nor what the petitioner is requesting thereby. File verified supplement explaining. Supp: petitioner requests instruction re proper administration of the trust, specifically interpreting the trust provision regarding the real property.
3. Petitioner requests an accounting. The court has the power to compel the trustee to report information about the trust or to account if the trustee fails to submit the report within 60 days after written demand and no report or account has been made within six months preceding the request. (Pr.C. § 17200(b)(7)). Petitioner fails to

allege the elements necessary to allow the court to order an accounting. Petitioner fails to state that a written demand was made and fails to state that no report was submitted within 60 days of the demand. The only element that is stated is that no accounting has been received in 8 months. Require petitioner to properly plead the requested relief. Supp: the first requests were verbal requests for accounting in 11/05 & 12/05. Petitioner alleges that on 3/12/06 a request under Pr.C.§16061 was made and no notice was ever provided. No copy of requested notice provided. Petitioner alleges that on 5/13/06 petitioner's counsel requested information re sale of trust property and an accounting of trust assets. Another request was made on 7/24/06. Need copy of documents requesting an accounting. **On 1/14/08 Court notes that this Note 3 is cleared. An accounting has been requested numerous times.**

4. Petitioner alleges that the trustee sold real property and requests that the court review the actions of the trustee in regards to the sale. This would appear to be covered in the accounting.
5. Petitioner requests attorney fees, but cites no authority for the awarding of attorney fees. The awarding of attorney fees in trust matters is extremely limited. Court should require petitioner to provide authority for the request. Supp: Petitioner alleges petitioner has requested that the Trustee serve notice per Pr.C.§16061.7. Petitioner requests attorney fees under Pr.C.§16061.9. A trustee fails to serve notification by trustee as required by Pr.C.§16061.7 on a beneficiary shall be responsible for all damages, attorney fees and costs for damages sustained unless the trustee makes a reasonably diligent effort to comply (Pr.C.§16061.9).
6. There is no opposition in the file at the time of this review.

RECOMMENDATION:

Court's discretion
(/KRA/cbr/kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07253

CASE NAME: ESTATE OF JAMES A MC CURRY

HEARING:

FIRST & FINAL Account and Report of LYNN M KNABB, MARY SUE MC CURRY, LIESL K SMITH and Petition for allowance of fees filed.

COUNSEL:

MARY SUE MC CURRY (PET)...HERITAGE LAW OFFICES
LIESL K SMITH (PET)...HERITAGE LAW OFFICES
LYNN M KNABB (PET)...HERITAGE LAW OFFICES
JAMES A MC CURRY (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Statutory fees are \$10,620.00. Calculation ok.
2. Notice complete and accounting looks ok.
3. Submit order after hearing.

RECOMMENDATION:

RFA. If approved, court to set hearing re filing receipts and final discharge for **5/11/09**.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07281

CASE NAME: EST OF RUTH JEAN SKINNER

HEARING:

FIRST AND FINAL Account and Report of BRENDA COLLINS and Petition for fees
COUNSEL:

BRENDA COLLINS (PET)...BENJAMIN DONEL & ASSOCIATES
RUTH JEAN SKINNER (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Amended 1st & final account filed 3/24/08. However, it appears to be an amendment to the 1st & final account as it merely supplements the accounting filed 3/20/08 and is not a complete amended accounting.
2. There is no summary of account, receipt or disbursement schedules. It cannot be determined whether or not this accounting balances. Need to file proper accounting to comply with Pr.C. §1060
3. Need copies of bank statements verifying balance of property on hand per local rule 20-908.
4. On inventory, real property was appraised at \$355,000. Petitioner alleges the real property was lost to foreclosure but petitioner received \$130,575.31 in surplus proceeds. There is a discrepancy between these amounts of \$224,424.69. Question whether this was the mortgage payoff? Need to provide escrow closing statement or copy of surplus payout per local rule 20-910
5. No additional graduated filing fee required.
6. Petitioner and attorney request statutory fees of \$4,917.26. ok.
7. Need notice of hearing and proof of service of the first & final account and the amendment to the first and final account.

RECOMMENDATION:

Need to clear notes. If approved, court to set hearing re filing receipts and final discharge for **5/11/09**.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS52673

CASE NAME: IN THE MTTR OF WILL HICKS

HEARING:
Hearing re Final Discharge

	COUNSEL:
WILL HICKS	(DEC)...
MARY L. HICKS	(PET)...LEMUEL B MAKUPSON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final distribution approved 4/30/07.
2. Need receipt of distribution from Chombra Johnson.
3. Need Ex-parte petition/order for final discharge.

RECOMMENDATION:

Inquire status. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 2655.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

PUBLIC GUARDIAN

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: CONPS0600036

CASE NAME: MTR OF BEVERLY WOODRUFF

HEARING:

FIRST Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN
BEVERLY WOODRUFF

(CPE)...COUNTY COUNSEL
(CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st account current and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 12/1/06 – 12/28/07.
2. Assets on hand \$1,541.30 consisting of cash.
3. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
4. Public Guardian and County Counsel request fees of \$385.00 each.

RECOMMENDATION:

If approved court to set next hearing re Accounting Review for **5/11/09**. Accounting to cover the period of 12/29/07 – 12/28/08. Any accounting to be filed 30 days in advance. (kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: CONPS0600043

CASE NAME: MTR OF PAUL R BOLLES

HEARING:

FIRST AND FINAL Account and Report of PUBLIC GUARDIAN and
Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
PAUL R BOLES (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & Final account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 12/12/06 – 1/18/08.
2. Conservatee died 3/3/07.
3. Assets on hand \$1,904.19 consisting of cash.
4. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
5. Public Guardian requests compensation of \$952.09.
6. County Counsel requests fees of \$952.10.
7. Petitioner alleges that petitioner distributed conservatee's ½ interest in real property to Brian Bolles as administrator of the estate (PROPS0700733). Receipt filed.

RECOMMENDATION:

If approved court to set hearing re final discharge for **5/11/09**
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: CONPS0600063

CASE NAME: MTR OF FREDESVINDA THORNE

HEARING:

FIRST AND FINAL Account and Report of PUBLIC GUARDIAN and
Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
FREDESVINDA THORNE	(CEP)...HARTNELL LISTER & MOORE
ARTHUR A CAPPILLA	(PET)...JOHN D MICKU S

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & Final account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Successor Conservator Arthur Cappilla appointed 9/7/07.
2. Accounting period covers 12/29/06 – 12/14/07.
3. Conservatorship established under W&I 5350 and terminated on 9/7/07.
4. Assets on hand \$1,308.00 consisting of cash.
5. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
6. Public Guardian and County Counsel request fees of \$654.00 each.
7. Disbursements indicate that petitioner distributed \$1,308.19 to successor conservator, Arthur Cappilla, representing the final distribution of conservatee's estate. Receipt filed.

RECOMMENDATION:

If approved court to set hearing re filing receipts and final discharge for **5/11/09**
(kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: CONPS0600072

CASE NAME: MTR OF EDNA BOLLING

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
EDNA BOLLING (CEP)...

GENERAL INFORMATION:

Continued from 10/22/07 at request of counsel. (Scott Soady is relieved as counsel of record for conservatee). Nothing new filed.

Continued from 2/4/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of temporary conservatorship issued to PG 1/17/07.
2. At 7/30/07 hearing on general petition, court was advised that proposed conservatee is deceased. General petition withdrawn. Court set 10/22/07 accounting review for period of temporary conservatorship.
3. **Declaration filed indicating that PG did not acquire any assets during the temporary conservatorship. However, an Initial I&A was filed indicating an appraisal value as of the temporary appointment in the amount of \$36,577.63 consisting of 2 checks from closed bank accounts. Question if the checks were negotiated. Need verified supplement.**

RECOMMENDATION

Need to clear note 3. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(/KRA).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: CONPS0800037

CASE NAME: WAUNETA C. JONES

HEARING:

Petition for Appointment of Conservator

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
WAUNETA C JONES (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION:

Continued from 3/24/08 as court appoints counsel for conservatee.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is Public Guardian. No bond required.
2. Petitioner seeks Pr. C. § 2590 powers to sell real or personal property of the estate and proceeds to be used for Conservatee's care and personal needs.
3. Petitioner seeks medical and dementia powers. Medical Capacity declaration filed in support. However, Items 4(b) re regular patient and 9(a)(5) re placement is incomplete. Need corrected Capacity Declaration or verified statement from signing physician re placement.
4. Petitioner seeks authority to deposit up to \$5000 in an irrevocable burial trust.
5. Petitioner seeks authority to abandon and/or donate personal property with value of \$300 or less; storage or a sale would be a burden on the estate.
6. Citation returned served.
7. There is a copy of the Court Investigator report attached to the Court Investigator request for fees.

RECOMMENDATION

Need to clear notes 3 & 7. If approved, set hearing for Compliance Review for **12/8/08** for filing proof of service of Order with Notification of Conservatee's rights; Care; Final Inventory & Appraisal; proof of service of I&A to include Instructions for Objection; and recordation of letters if applicable. Set hearing re Accounting Review for **7/13/09**. Any accounting to be filed 30 days in advance. .

(cbr/NMT/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SC SS02254

CASE NAME: MTR OF NORMA F. MELNIKOFF

HEARING:

FIFTH Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
NORMA F. MELNIKOFF (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 5th account current and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 12/19/06 – 12/13/07.
2. Assets on hand \$5,844.93 consisting of cash and pre-need burial trusts.
3. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
4. Public Guardian and County Counsel request fees of \$211.00 each.
5. The last Court Investigator report in the file is dated 10/19/05. Court may wish to inquire if a current biennial report is being prepared.

RECOMMENDATION:

If approved court to set next hearing re Accounting Review for **5/11/09**. Accounting to cover the period of 12/14/07 – 12/13/08. Any accounting to be filed 30 days in advance. (kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SC SS02448

CASE NAME: MTR OF HILDA M. BOND

SEE ALSO 31

HEARING:
Hearing re: FINAL DISCHARGE

COUNSEL:

JENNIFER WENGER (CPE)...JEFFREY T. VANDERVEEN
HILDA M. BOND (CEP)...DUANE P BOOTH
JAMES D GUERTNER (PET)...RICHARD T TOSAW
AMERICAN CON TRACTORS IND EMNI(TP)...LANAK & HANNA
PUBLIC ADMINISTRATOR (COUNTY COUNSEL)...COUNTY CO
JOYCE RILEY ()...

GENERAL INFORMATION

Continued from **1-8-07 and 3/5/07**. At the time of the 1-8 hearing County Counsel appeared for the Public Administrator of Orange County. The matter was continued at the request of counsel. Minute order does not say which counsel made the request.

Continued from **5/7/07 and 8/6/07** at request of counsel.

Continued from 12/10/07 as Court indicated that Orange County Public Administrator should be present at time of the 1-28 hearing to discuss final discharge and surcharge. Nothing new filed on this issue.

Continued from **01/28/08** at request of Court. Noting new filed on this issue.

Continued from 3/24/08 as court orders Jeffrey Vanderveen to personally be present at next hearing to address final discharge. A Status report of the Surety American Contractors Indemnity Company has been filed. Tabbed.

THIS CASE IS SET FOR HEARING ON final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Order setting second and final conservatorship accounting entered 10/2/06.

2. Receipts filed 12/7/06. Two of the three beneficiaries' shares have been deposited with the County Treasurer.

RECOMMENDATION

Need petition for final discharge. If it appears to the court that the court will not be able to get a final discharge order from Ms. Wenger, court may wish to state on the record that it appears that all receipts are in the file and that the conservatorship is closed. Court may wish to retain jurisdiction for purposes of surcharge should any information become available as to Ms. Wenger and this case.

See matter on next page.

(/cbr/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SC SS02448

CASE NAME: MTR OF HILDA M. BOND

SEE ALSO 30

HEARING:

Ex parte hearing re: PETITION CLAIMING ESCHEATED ESTATE

COUNSEL:

JENNIFER WENGER (CPE)...JEFFREY T. VANDERVEEN
HILDA M. BOND (CEP)...DUANE P BOOTH
JAMES D GUERTNER (PET)...RICHARD T TOSAW
AMERICAN CON TRACTORS IND EMNI(TP)...LANAK & HANNA
PUBLIC ADMINISTRATOR (COUNTY COUNSEL)...COUNTY CO
JOYCE RILEY ()...

GENERAL INFORMATION

Continued from 01/28/08. Attorney Richard Toshaw has filed a declaration to clear notes- court deems declaration does not clear notes and no service has been made. Counsel to clear notes and service all interested parties. Attorney Richard Toshaw needs to also pay first appearance fees; court finds first appearance fees were paid by James Guertner on 12/26/07. Notice and proof of service filed.

Continued from 3/24/08 as court orders Attorney Tosaw to comply with CCP §1355. Nothing new filed. A Status report of the Surety American Contractors Indemnity Company has been filed. Tabbed.

THIS CASE IS SET FOR HEARING ON petition claiming escheated estate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the son of an heir of the estate of Hilda Bond. The court ordered that if the administrator could not find Carol Ann Schmidt that her share of the estate could escheat to the County Treasurer. Petitioner alleges that Schmidt is now deceased and that he is the son of that deceased heir. C.C.P. § 1430(c) allows the blood heir of a deceased heir to claim the assets within 5 years after the order of escheat. The order was made in 2006 and is therefore within the 5 years. Per Pr.C.

§ 11854 the petition must be done in accord with C.C.P. § 1355. The petition provides a good deal of the information required, however, not all necessary elements are set forth.

RECOMMENDATION:

Require amendment to the petition in accord with C.C.P. § 1355.

(/cbr/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SC SS03017

CASE NAME: MTR OF ALBERT H. TOLER SR.

HEARING:

FIRST AND FINAL Account and Report of PUBLIC GUARDIAN and
Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
ALBERT H. TOLER SR. (CEP)...ANNETTE G DE BELLEFEUILLE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & Final account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 12/8/06 – 10/18/07.
2. Conservatee died 7/16/07.
3. Assets on hand \$35,712.86 consisting of cash.
4. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
5. Public Guardian and County Counsel request fees of \$1,250.00 each.
6. Claim filed by Dept. of Health Services in the amount of \$8,022.18. Need receipt of payment.
7. Document filed by Annette deBellefeuille indicates this is a confidential document. Please file Points and Authorities supporting position that the document constitutes confidential filing.
8. Note to court: See notes in confidential envelope.

RECOMMENDATION:

If approved court to set hearing re filing receipts and final discharge for **5/11/09**
(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SC SS03166

CASE NAME: MTR OF DOROTHY JEAN HUNT

HEARING:

Petition for REQ FOR COURT ORDER AUTHORIZING SALE OF
CONSERVATEE'S PERSONAL RESIDENCE

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DOROTHY JEAN HUNT (CEP)...SHERRI L KASTILAHN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for authorization to sell conservatee's residence

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED

1. Petitioner is conservator and successor trustee of conservatee's trust. Petitioner alleges that conservatee's residence located in Colton, CA is an asset of the trust and requests authorization to sell this asset as conservatee's condition prevents her from being able to return to live in the residence. Petitioner alleges the sale is necessary to provide funds for placement of conservatee and ongoing care related expenses.
2. Petitioner alleges that the conservatee is informed of the proposed sale and does not object to the sale.

RECOMMENDATION:

Court's discretion.

(kra)

FUTURE HEARING DATES:

6/23/08 Accounting Review

10/20/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SG SS7386

CASE NAME: IN THE MTTR OF BESSIE L MARTIN

HEARING:

TWENTY-FIFTH Account and Report of PUBLIC GUARDIAN and Petition
for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
BESSIE L. MARTIN (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 25th account current and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need proof of service on Veterans Administration.
2. Accounting period covers 10/31/06 – 11/29/07.
3. Assets on hand \$4,183.57 consisting of cash and pre-need burial trusts.
4. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
5. Disbursement shows payment for storage fees totaling \$30.00. Need verified supplement, as there is no personal property listed as an asset on hand.
6. Public Guardian and County Counsel request fees of \$71.00 each.

RECOMMENDATION:

Need to clear note 5. If approved court to set next hearing re Accounting Review for **5/11/09**. Accounting to cover the period of 11/30/07 – 11/29/08. Any accounting to be filed 30 days in advance.
(kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS00487

CASE NAME: IN THE MATTER OF JAMES COLLAS

HEARING:
Accounting Review

COUNSEL:
JAMES COLLAS (CEP)...HARTNELL HORSPOOL & FOX
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION:

Continued from 10/15/07 at request of County Counsel.
Continued from 1-28-08 at request of County Counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. 10th conservatorship accounting approved 8/14/06; Need 11th accounting covering the period of 2/10/06 – 2/9/07.
2. No accounting filed.

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(/KRA/NMT).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS00939

CASE NAME: IN THE MATTER OF WILLIE GILLARD

HEARING:

Petition for ORDER THAT CONSERVATOR NEED NOT PRESENT NINTH
ANNUAL ACCT

COUNSEL:

WILLIE GILLARD (CEP)...HARTNELL HORSPOOL & FOX
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Waiver of account (Pr.C.§2628)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 4/31/07 – 3/5/08. Starting period is a date that does not exist. Court may wish to allow petitioner to interlineate the correct period of accounting 5/1/07 – 3/5/08.
2. Public Guardian petitions for waiver of accounting as a matter of law per Pr.C.§2628 on basis assets are less than \$7,500 and income was less than \$1,000 exclusive of public benefits.
3. No oppositions filed at the time of review of this file.

RECOMMENDATION:

If approved court to set next hearing re Accounting Review for **5/11/09**. Accounting to cover the period of 3/6/08 – 3/5/09. Any accounting to be filed 30 days in advance.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS01081

CASE NAME: IN THE MATTER OF DAVID COLVIN

HEARING:

EIGHTH Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

DAVID COLVIN (CEP)...HARTNELL HORSPOOL & FOX
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 8th account current and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 1/26/06 – 12/1/07.
2. Assets on hand \$167.71 consisting of cash.
3. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
4. Public Guardian and County Counsel request fees of \$35.00 each.

RECOMMENDATION:

If approved court to set next hearing re Accounting Review for **5/11/09**. Accounting to cover the period of 12/2/07 – 12/1/08. Any accounting to be filed 30 days in advance. (kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS01149

CASE NAME: IN THE MATTER OF PEYTON SAUNDERS

HEARING:
SEVENTH AND FINAL Account and Report of PUBLIC GUARDIAN and
Petition for allowance of fees filed.

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
PEYTON SAUNDERS (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 7th & Final account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 7/7/06 – 12/11/07.
2. Conservatorship established under W&I 5350 and terminated on 9/24/07
3. Assets on hand \$422.00 consisting of cash.
4. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
5. Public Guardian and County Counsel request fees of \$211.00 each.
6. Report indicates petitioner has filed a declaration of due diligence as to father of conservatee. However, no declaration is found in the file. Need proof of service on father or declaration of due diligence.

RECOMMENDATION:

Need to clear note 6. If approved court to set hearing re filing receipts and final discharge for **5/11/09**

(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS01244

CASE NAME: IN THE MATTER OF CHARLES LUMSDEN

HEARING:

THIRD Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

CHARLES LUMSDEN (CEP)...HARTNELL HORSPOOL & FOX
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 3rd account current and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 4/5/06 – 5/29/07.
2. Assets on hand \$1,019.03 consisting of cash.
3. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
4. Public Guardian and County Counsel request fees of \$255.00 each.

RECOMMENDATION:

If approved court to set next hearing re Accounting Review for **5/11/09**. Accounting to cover the period of 5/30/07 – 5/29/08. Any accounting to be filed 30 days in advance. (kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS01800

CASE NAME: MTR OF JAE DO

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
JAE DO	(CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

Continued from 7/9/07 at request of counsel to file 2nd & final accounting.

Continued from 10/15/07 at request of County Counsel. Nothing new filed.

Continued from 1/28/08 at request of counsel to file an accounting. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. First account (PG) approved 6/12/06.
2. Order denying petition for reappointment entered 7/13/06.
3. Need 2nd and final accounting.

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(/KRA/kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS01903

CASE NAME: MATTE OF LESLIE MEDARIS

HEARING:

SECOND Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
LESLIE MEDARIS (CEP)...

GENERAL INFORMATION accounting covers 5-4-06 through 11-29-07.
Assets \$199.94 cash

THIS CASE IS SET FOR HEARING ON 2nd account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner and County Counsel request fees of \$35 each. Amounts are calculated pursuant to a court approved fee schedule, per petitioner.
2. Assets are held in a common trust fund at Citizens Business Bank or in a common High Yield Account with the County Treasurer. Individual ledgers are maintained for each estate by the Public Guardian.
3. Accounting looks ok.

RECOMMENDATION:

Recommended for approval absent objection. Set hearing for the next account for 2-9-09, to cover the period of 11-30-07 through 11-29-08. Accounting to be filed 30 days in advance.

**THIS FILE WILL BE TAKEN DIRECTLY TO THE COURTROOM AFTER THE 05/02/08
Court Trial -- Estimated trial length *** hrs. at 9:00 in Department WB.**

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS01983

CASE NAME: MTR OF VALERIE LOREDO

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
VALERIE LOREDO (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION:

Continued from 10/15/07 at request of County Counsel.

Continued from 1/28/08 at request of counsel to file an accounting. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Third account (PG) approved 8/7/06; Need fourth accounting covering the period of 3/8/06 – 3/7/07.
2. No accounting filed.

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(KRA/kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS02080

CASE NAME: MTR OF MICHELLE SILVA

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MICHELLE SILVA (CEP)...HARTNELL HORSPPOOL & FOX

GENERAL INFORMATION:

Continued from 1/28/08 at request of counsel to file an accounting. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr. C. § 2620.2. There is no bonding company to notice.
(/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS02579

CASE NAME: MTR OF EVELYN JOHNSTON

HEARING:
Hearing Re: FINAL ACCOUNTING.

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
EVELYN JOHNSTON (CEP)...HARTNELL HORSPPOOL & FOX

GENERAL INFORMATION

Continued from **6/11/07** at request of counsel to file accounting.

Continued from **10/15/07** at request of County Counsel. Nothing new filed.

Continued from 1/28/08 at request of counsel to file an accounting. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Second account approved 12/27/06. Court recognized that conservatee was deceased and this accounting review was set for final accounting.
2. Need final accounting.

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(/KRA/kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS02636

CASE NAME: MTR OF ELIZABETH MEDINA

HEARING:

THIRD Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ELIZABETH MEDINA	(CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION accounting covers 6-8-06 through 5-14-07.
Assets \$316.01 cash

THIS CASE IS SET FOR HEARING ON 3rd account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner and County Counsel request fees of \$63 each. Amounts are calculated pursuant to a court approved fee schedule, per petitioner.
2. Assets are held in a common trust fund at Citizens Business Bank or in a common High Yield Account with the County Treasurer. Individual ledgers are maintained for each estate by the Public Guardian.
3. Accounting looks ok.

RECOMMENDATION:

Recommended for approval absent objection. Set hearing for the next account for 7-28-08, to cover the period of 5-15-07 through 5-14-08. Accounting to be filed 30 days in advance.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS02647

CASE NAME: MTR OF SUE RAY

HEARING:

THIRD Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
SUE RAY	(CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 3rd account current and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 10/20/06 – 11/26/07.
2. Assets on hand \$23,180.95 consisting of cash and pre-need burial trusts.
3. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
4. Public Guardian and County Counsel request fees of \$1,000.00 each.
5. Last doctor's report in the file is dated 5/31/07. Court may wish to inquire if a current report is being prepared.

RECOMMENDATION:

If approved court to set next hearing re Accounting Review for **5/11/09**. Accounting to cover the period of 11/27/07 – 11/26/08. Any accounting to be filed 30 days in advance. (kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS02940

CASE NAME: MTR RE SUZANNE MORDA

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
SUZANNE MORDA	(CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION **Continued from 1-28-08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 4/30/07 court approved the 1st account; 2nd accounting now due covering the period of 11/29/06 – 11/28/07.
2. No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(KRA/NMT).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS03021

CASE NAME: MTR RE DAVE BRUHN

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
DAVE BRUHN	(CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 7/30/07 court approved the 1st account; 2nd accounting now due covering the period 3/1/07 – 2/29/08.
2. No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS03051

CASE NAME: MTR RE TIFFANY RUSSELL

HEARING:
SECOND AND FINAL Account and Report of PUBLIC GUARDIAN and
Petition for allowance of fees filed.

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
TIFFANY RUSSELL (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 2nd & Final account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 4/25/07 – 12/12/07 (8 months).
2. Conservatorship established under W&I 5350 and terminated on 10/5/07
3. Assets on hand \$70.00 consisting of cash.
4. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
5. Public Guardian and County Counsel request fees of \$35.00 each.
6. Disbursements indicate that petitioner distributed \$702.15 to conservatee representing the final distribution of conservatee's estate. Need receipt.

RECOMMENDATION:

If approved court to set hearing re filing receipts and final discharge for **5/11/09**
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS03161

CASE NAME: MTR RE RICHARD GONZALEZ

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
RICHARD GONZALEZ (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION:

Continued from 2/4/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 11/02/07 court terminated the conservatorship and ordered a final accounting.
2. No accounting filed. Need final accounting.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(KRA/kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS3947

CASE NAME: IN THE MATTER OF HOWARD KELVIN BOARD

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
HOWARD KELVIN BOARD (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

Continued from 2/4/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 2/5/07 court approved the 1st account; 2nd accounting now due covering the period of 5/12/06 – 5/11/07.
2. No accounting filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(KRA/kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS5947

CASE NAME: IN THE MATTER OF JEAN MCCULLOUGH

HEARING:
Hearing re Final Discharge

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
JEAN MCCULLOUGH (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final accounting approved 4/30/07.
2. Need Ex-parte petition/order for final discharge.

RECOMMENDATION:
Inquire status.
(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS6115

CASE NAME: IN THE MATTER OF IRENE STEVENSON

HEARING:
Hearing re Final Discharge

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
IRENE STEVENSON (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

Continued from 02/04/08 at request of counsel. Nothing new filed.

Continued from 3/24/08 at request of counsel to file discharge and receipts. Nothing new filed.

THIS CASE IS SET FOR HEARING ON final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 1/29/07 court approved the 18th and final account.
2. Need Ex-parte petition/order for final discharge.

RECOMMENDATION:

Inquire status.
(KRA/cbr/kra/cbr).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS7755

CASE NAME: IN THE MATTER OF HARDIN GOWAN

HEARING:

Petition for order that conservator need not present fifteenth
annual account

COUNSEL:

HARDIN GOWAN	(CEP)...HARTNELL HORSPOOL & FOX
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Waiver of account (Pr.C.§2628)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 4/13/07 – 3/13/08.
2. Public Guardian petitions for waiver of accounting as a matter of law per Pr.C.§2628 on basis assets are less than \$7,500 and income was less than \$1,000 exclusive of public benefits.
3. No oppositions filed at the time of review of this file.

RECOMMENDATION:

If approved court to set next hearing re Accounting Review for **5/11/09**. Accounting to cover the period of 3/14/08 – 3/13/09. Any accounting to be filed 30 days in advance.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS9390

CASE NAME: IN THE MATTER OF DENISE MARTIN

HEARING:

FOURTH Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
DENISE MARTIN	(CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 4th account current and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 3/24/06 – 9/24/07.
2. Assets on hand \$250.37 consisting of cash.
3. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Court may wish to direct petitioner to use such form for future accountings. JTD
4. Public Guardian and County Counsel request fees of \$50.00 each.

RECOMMENDATION:

If approved court to set next hearing re Accounting Review for **5/11/09**. Accounting to cover the period of 9/25/07 – 9/24/08. Any accounting to be filed 30 days in advance. (kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

CONSERVATORSHIP

DATE: 05/05/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0600071

CASE NAME: MILDRED M LEDGER

HEARING:
Accounting Review

COUNSEL:

RONNIE D SIZEMORE	(PET)...	ROBERTA L. TAYLOR & ASSOCIATES
MILDRED M LEDGER	(PCE)...	
TAMMY LEE FORD	(RES)...	ZUMBRUNN LAW CORPORATION

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Conservator appointed 2/26/07, \$100,000 bond.
2. No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. Clerk to notice bonding company.
(kra)

FUTURE HEARING DATES:

5/14/08 Petition for ORDER DIRECTING TAMMY L FORD TO RETURN PROPERTY TO
THE CONSERVATOR AND FOR DAMAGES

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01079

CASE NAME: IN THE MATTER OF PATRICK JAMES MENDOZA

SEE ALSO 57A

HEARING:
Petition for ORDER TERMINATING CONSERVATORSHIP OF ESTATE ONLY

COUNSEL:
PATRICIA VERDUGO (PLA)...PRO/PER
PATRICK JAMES MENDOZA (CEP)...JUDITH RUNYON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON petition to terminate conservatorship of the estate only.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner has been Conservator of the person of the Conservatee since 1997. In 9-07 on advice from a representative of the Department of Veteran Affairs the petitioner sought conservatorship of the estate. After audit of the VA account by the department petitioner received a letter from the counsel for the Department of Veteran Affairs indicating that the conservatorship of the estate was wasteful to the Conservatee's assets and that if the Conservator did not seek to terminate the conservatorship of the estate they would set an O.S.C. in our court and seek reimbursement from the Conservator for the cost of the court's accounting to the Conservatee.
2. A copy of the letter threatening the Conservator was filed by the Department of Veteran Affairs.
3. The Department of Veteran Affairs has preformed an audit. Did court wish to require the Conservator to do a court accounting as well? Judge to decide.
4. File notice of hearing and proof of service on all interested parties, including Department of Veteran Affairs.

5. Petitioner has attached the order to the petition. As a result the petition could not be filed in. Suggest the court order the document filed in and order the petitioner to file a separate order after hearing.

RECOMMENDATION:

Court will need to determine if it wants a final accounting. Need notice. Need to order petition filed and order petitioner to file a separate order after hearing.

FUTURE HEARING DATES:

7/31/08 Accounting Review

NMT

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01079

CASE NAME: IN THE MATTER OF PATRICK JAMES MENDOZA

SEE ALSO 57

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
PATRICIA VERDUGO (PLA)...PRO/PER
PATRICK JAMES MENDOZA (CEP)...JUDITH RUNYON

GENERAL INFORMATION

Continued from 11/29/07 and 2/14/08. No appearance on 2/14/08
Continued from 4-17-08 to trail matter on preceding page.

THIS CASE IS SET FOR HEARING ON inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Conservator of the estate appointed 5/24/07, no bond required.
2. No inventory filed. Need final I&A and proof of service. Note new notice requirements re inventory set forth in Pr.C. §2610(a).

RECOMMENDATION:

Court's ruling on this matter will depend on what happens re the matter on the preceding page.
(/GLS/NMT)

FUTURE HEARING DATES:
7/31/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01847

CASE NAME: MTR RE LOUISE OLAGUE

SEE ALSO 59

HEARING:
Petition for ATTORNEY'S FEES

COUNSEL:

ELIZABETH ACKLEY	(CPE)...	HERITAGE LAW OFFICES
LOUISE OLAGUE	(CEP)...	EDWARD B FISCHER
EMANUEL OLAGUE	(OBJ)...	PRO/PER
TIMOTHY OLAGUE	(PRO/PER	)...PRO/PER
JOE OLAGUE	(GILBERT M GUTIERREZ	)...GILBERT M
LYDIA ANN DASHKOVITZ	(GILBERT M GUTIERREZ	)...GILBERT M

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner was appointed for the conservatee on 8/30/05 and has been compensated for the period ending 4/5/07. Conservatee died 12/18/07.
2. Petitioner requests fees of \$1,387.50 for services during the period 4/6/07 through the present hearing date. Billing is based on a rate of \$250/hour for 5.9 hours. Itemized.
3. Need notice of hearing and proof of service.

RECOMMENDATION:
Need notice, then Court's discretion.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01847

CASE NAME: MTR RE LOUISE OLAGUE

SEE ALSO 58

HEARING:
FOURTH AND FINAL Account and Report of ELIZABETH ACKLEY and
Petition for allowance of fees filed.

COUNSEL:

ELIZABETH ACKLEY	(CPE)...	HERITAGE LAW OFFICES
LOUISE OLAGUE	(CEP)...	EDWARD B FISCHER
EMANUEL OLAGUE	(OBJ)...	PRO/PER
TIMOTHY OLAGUE	(PRO/PER	)...PRO/PER
JOE OLAGUE	(GILBERT M GUTIERREZ	)...GILBERT M
LYDIA ANN DASHKOVITZ	(GILBERT M GUTIERREZ	)...GILBERT M

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 4th & Final account and petition for fees,
termination of conservatorship and distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 10/1/06 – 1/11/08.
2. Conservatee died 12/18/07.
3. Assets on hand \$578,689.71. Bond is posted in the amount of \$357,000. On 7/9/07 court ordered an additional bond of \$230,500. Petitioner requests that the requirement of additional bond be waived as petitioner believes the expense is not necessary or justified and that the first year's additional bond premium would not be refundable. JTD
4. Summary of Account is not on the mandatory Judicial Council form (GC-400/405). Does Court wish to direct petitioner to file this form? JTD
5. Need bank statements for Washington Mutual account ***003-02.
6. Petitioner waives compensation.

7. Attorney requests fees of \$2,540.00 for services to the conservator. Billing is based on a rate for attorneys at \$180/hour and paralegal at \$80/hour for a total of 29 hours. Itemized.
8. Attorney requests reimbursement of \$79.50 for costs. However, a total of \$64.00 is described as copies. The court does not allow reimbursement of cost for duplicating as this is considered part of overhead per local rule 20-1406. Court may wish to reduce requested reimbursement to \$15.50.
9. Petitioner requests to distribute remaining assets to the Successor Trustee, PFF Bank.

RECOMMENDATION:

Need to clear note 5 and court's determination re notes 3-4. If approved court to set hearing re filing receipts and final discharge for **5/11/09**

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02789

CASE NAME: MTR OF ANTHONY OCCHINO

HEARING:
Hearing re Final Discharge

COUNSEL:
VIRGINIA OCCHINO (CPE)...HARTNELL HORSPOOL & FOX
ANTHONY OCCHINO (CEP)...
JUDITH M GREENWOOD (CPE)...PAULA FORTHUN-BALDWIN

GENERAL INFORMATION:
Continued from 3/24/08 at request of counsel.

THIS CASE SET FOR HEARING ON Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Order for 1st and final accounting entered on 03/19/07.
2. All receipts filed.
3. Need Ex-parte petition/order for final discharge.

RECOMMENDATION
Inquire status.
(cbr/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02993

CASE NAME: MTR OF EXEQUIEL EUSEBIO

HEARING:
Hearing re Final Discharge

COUNSEL:
JAIME A EUSEBIO (CPE)...PRO/PER
EXEQUIEL EUSEBIO (CEP)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final accounting approved 4/30/07.
2. Need receipt for distribution of estate or 13100 declaration.
3. Need Ex-parte petition/order for final discharge submitted.

RECOMMENDATION:

Inquire status. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 2655.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:30 DEPT: E1

CASE #: SC SS03029

CASE NAME: MTR RE FRANCES ABAHAZI

HEARING:
Hearing re Final Discharge

	COUNSEL:
GLENN BAUER	(CPE)...JACK B OSBORN
FRANCES ABAHAZI	(CEP)...

GENERAL INFORMATION:

Continued from 3/17/08 at request of counsel as petition for discharge is with client for signature.

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final distribution approved 3/12/07.
2. Receipts have been filed.

RECOMMENDATION:

Final discharge order in file. Court may wish to sign order.

(kra/kra/cbr).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 10:30 DEPT: E1

CASE #: SC SS03169

CASE NAME: MTR OF PATRICIA ANN KILBORN

VACATED- FINAL I&A FILED.

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
RONALD KILBORN (CPE)...HARTNELL, LISTER & MOORE
PATRICIA ANN KILBORN (CTE)...JAMES B CHURCH
JOHN CALLAHAN (CPE)...BRIAN W. SMETHURST
LAWRENCE A DEAN II (PCR)...
ROBERT C KILBORN (OBJ)...BRIAN J SIMPSON

(/GLS/NMT/kra)

COMPANION FILE= SPRSS07265

FUTURE HEARING DATES:
7/28/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

MISC.

DATE: 05/05/08 TIME: 1:30 DEPT: E1

CASE #: PROPS0600021

CASE NAME: MTR OF ANN M. STUDT TRUST

HEARING:

Court Trial -- Estimated trial length *** hrs.

COUNSEL:

JONATHAN V. STUDT	(PET)...GREGORY S LARSON
GEORGE W. SCOTT JR	(PET)...GREGORY S LARSON
MARILYN ANN NORD	(TEE)...HORSPOOL & PARKER

No calendar notes as this is on for Court Trial.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 2:00 DEPT: E1

CASE #: SPRSS07192

CASE NAME: ESTATE OF PALESTINE SMITH

SEE ALSO 64B

HEARING:
Mandatory Settlement Conference

COUNSEL:
MONICA SMITH (PET)...FRANK PRAINITO
PALESTINE SMITH (DEC)...
LORRAINE VON DEAUXPLETTE (PET)...MICHAEL R YOUNG
SHERRI L KASTILAHN (PET)...PRO/PER

No calendar notes as this is on for Mandatory Settlement Conference.

Per Judge- No new notes required. This hearing was continued from 4/29/08.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 05/05/08 TIME: 2:00 DEPT: E1

CASE #: SPRSS07192

CASE NAME: ESTATE OF PALESTINE SMITH

SEE ALSO 64A

HEARING:

Petition for VERIFIED TO QUIET TITLE REQUIRE TRANSFER OF REAL
PROPERTY TO ESTATE

COUNSEL:

MONICA SMITH (PET)...FRANK PRAINITO
PALESTINE SMITH (DEC)..
LORRAINE VON DEAUXPLETTE (PET)...MICHAEL R YOUNG
SHERRI L KASTILAHN (PET)...PRO/PER

GENERAL INFORMATION:

Continued from 3/8/07 at request of counsel.

Continued from 5/31/07. At demurrer hearing same date, court ordered that fraud cause
of action is to be amended to undue influence, stipulation read into record.

Continued from 8/13/07, and 10/22/07; on 12/3/07 matter continued to 3/21/08 (Friday
calendar date).

THIS CASE IS SET FOR HEARING ON Petition to Quiet Title Require Transfer of Real
Property to the Estate

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner alleges the property known as 11905 Elahl Court, Moreno Valley
belongs to decedent and was transferred to Monica Smith (daughter)
through coercion. Petitioner seeks an order from this court transferring the
property back to the estate from defendant Monica Smith.
2. Petition amended per stipulation at demurrer hearing.
3. Response to petition filed by Monica Smith.

RECOMMENDATION:

Contested hearing set, see prior page.
(/kra).

Per Judge- No new notes required. This hearing was continued from 4/29/08.

FUTURE HEARINGS CURRENTLY SET: 5-8-08 readiness and 5-12-08 court trial.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **PROBATE**

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700546

CASE NAME: HATEM ELGEZIRY

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
MAGGI ELGEZIRY (PET)...LAW OFFICES OF WILLIAM S TILTO
HATEM ELGEZIRY (DEC)...

GENERAL INFORMATION:

Continued from 2/25/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Inventory & Appraisal

THE FOLLOWING ISSUES AND / OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition to administer estate was granted on 8/13/07, no bond required. However, Orders and Letters were never submitted, filed or issued. As Letters have not issued, the inventory and appraisal is not legally due. Court may wish to continue to at least 4 months after Letters are issued. **Letters now issued 2/14/08. Court may wish to continue matter to 6/16/08.**

RECOMMENDATION:

Court may wish to continue to 6/16/08.
(kms/kra)

FUTURE HEARING DATES:

10/20/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700098

CASE NAME: KHALED FEHMI JAMAL

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

SHEILA HOPPER JAMAL (PET)...ANDREA
KHALED FEHMI JAMAL (DEC)...

GENERAL INFORMATION:

Continued from 1/14/08 at request of counsel. Nothing new filed.

Continued from 4-7-08 at request of counsel. Petitioner has now filed a Pr.C. § 12251 petition to terminate a no asset estate.

THIS CASE IS SET FOR HEARING ON Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Partial and Final I&As have been filed. However, the main asset of the estate is stock in a closely held company. The Final I&A states that the stock cannot yet be valued and a declaration of counsel states that the Probate Referee has not yet been able to obtain information from the company re valuation. Without a valuation, the Final I&A is not complete.
2. Need to continue hearing as a review date for proper Final I&A.

RECOMMENDATION

Petitioner has filed a petition to terminate a no asset estate. That matter is scheduled to be heard on 6-4-08. Suggest this matter trail that matter.

(abs/KRA/NMT)

FUTURE HEARING DATES:

6/04/08 Petition for TERMINATE PROCEEDINGS OF NO ASSET ESTATE & FOR
DISCHARGE OF PERSONAL REP

6/17/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700500

CASE NAME: MTR OF RUMINTANG ASDORA MANGUNSONG

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

WINSTON MANGUNSONG (PET)...HARTNELL, LISTER & MOORE
RUMINTANG ASDORA MANGUNSONG (DEC)...

GENERAL INFORMATION:

Continued from 1/14/08 at request of counsel; still investigating insurance (due to car accident) and bank accounts.

Continued from 4/7/08 at request of counsel to file I&A. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 7/9/07, no bond.
2. Partial I&A filed. Need Final I&A.

RECOMMENDATION

When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr. C. §§ 8804 and/or 8505.

(/kra)

FUTURE HEARING DATES:

9/15/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700520

CASE NAME: HAZELL FELTWELL

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

RUBY BUCZYNSKI	(PET)...	WILLIAM M NASSAR & ASSOCIATES
HAZELL FELTWELL	(DEC)...	
LISA GREGORY	(PET)...	SCOTT D BROWN
LAYNE A BARTHOLOMEW	(TP)...	

GENERAL INFORMATION:

Continued from 4/7/08 at request of counsel as bank statements were just received.

THIS CASE IS SET FOR HEARING ON Inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final Inventory and Appraisal filed.

RECOMMENDATION:

Court may wish to take matter off calendar.

(kra/vet)

FUTURE HEARING DATES: 12/01/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700742

CASE NAME: LAWRENCE ALEXANDER MAIRS

HEARING:

Petition for WAIVER OF ACCOUNT AND FINAL REPORT BY EXECUTOR
ETC

COUNSEL:

DONALD B MAIRS (PET)...GERALD R LUNDBERG
LAWRENCE ALEXANDER MAIRS (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Fees and
Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need named trustee's written acceptance of the trust filed with the court per Pr. C. §10954 (b) (4).
2. Petitioner as trustee of the Lawrence Mairs Trust is the sole heir and waives an accounting.
3. Attorney requests statutory fees of \$10,000.00 Petitioner waives compensation.
4. Petitioner requests to withhold \$20,000 for closing expenses.
5. Graduated filing fee schedule filed showing overpayment of fees. Petitioner requests refund of \$65.00 (not \$60.00 as stated on the schedule) to the estate.

RECOMMENDATION:

Clear note 1. If approved, court to set hearing re filing receipts and final discharge for
5/11/09.

(kra/vet)

FUTURE HEARING DATES: 11/12/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700866

CASE NAME: FRANCES CHANTAL KRAUSE

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
JACK LUOMA (PET)...PRO/PER
FRANCES CHANTAL KRAUSE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters of administration issued 10/22/07, no bond.
2. No inventory filed. Need final I&A.

RECOMMENDATION:

Inquire status. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. §8804 and/or 8505.

(kra).

FUTURE HEARING DATES:
12/29/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700886

CASE NAME: JOAN K. RUSSELL

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
DEBORAH ANNE FLYNN (PET)...ARNOLD BLEUEL LAROCHELLE MATHE
JOAN K RUSSELL (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters of administration issued 10/25/07, no bond.
2. Final Inventory and Appraisal filed.

RECOMMENDATION:
Court may wish to take matter off calendar.

(kra/vet)

FUTURE HEARING DATES: 6/02/08 FIRST AND FINAL Account and Report of
DEBORAH ANNE FLYNN and Petition for allowance of fees filed.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700894

CASE NAME: NORMAN EUGENE STEWART

VACATED- HEARING HAS BEEN RESET ONTO 10/16/08.

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
JIMMY STEWART (PET)...HORSPOOL & PARKER
NORMAN EUGENE STEWART (DEC)...
MARY LITTLETON (SA)...HORSPOOL & PARKER
VICTIM COMPENSATION AND GOVERN(AGN)...
MARY LITTLETON (PET)...HORSPOOL & PARKER

FUTURE HEARING DATES:
10/16/08 FIRST & FINAL Account and Report of JIMMY STEWART and Petition for allowance of fees filed.
6/11/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701046

CASE NAME: SHERON WILDE GARCIA-BURDELAS

HEARING:
OSC re: ISSUANCE OF LETTERS

COUNSEL:
MICHAEL BURDELAS (PET)...JASDEEP S AHLUWALIA
SHERON WILDE GARCIA-BURDELAS (DEC)...

GENERAL INFORMATION:

**Continued from 03-24-08. No appearance. Notice given by courtroom clerk.
Continued from 4-28-08. Special appearance by Louis Brenenes for petitioner.
Hearing continued at request of court. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON OSC re: Bond Increase

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Petitioner appointed administrator 02-04-08. Bond of \$160,000 posted as Special Administrator. Need bond for General Administrator in the amount of \$330,000.
- 2 **Bond of \$330,000 posted.**

RECOMMENDATION:
Court may wish to take matter off calendar.

(cbr/kra/gls/vet/NMT)

FUTURE HEARING DATES:
8/18/08 Hearing re: Inventory and appraisal
4/13/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800132

CASE NAME: LAWRENCE E. MILTON & MARGARET A. MILTON TRUST

SEE ALSO 7 & 7A

HEARING:

Hearing Re: NTC OF DEMURRER AND DEMURRER OF RESPONDENT JOEL L.

COUNSEL:

DONA MASTIN

(PET)...RUSSAKOW, RYAN & JOHNSON

JOEL J LOQUVAM

(RES)...PRO/PER

No file available for review

RELATED FILE= CONPS0600075.

FILE IS IN LAW & MOTION.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800132

CASE NAME: LAWRENCE E. MILTON & MARGARET A. MILTON TRUST

SEE ALSO 6 & 7A

HEARING:
Petition for DETERMINE VALIDITY OF PURPORTE TRUST AMENDMENT &
POUR-OVER WILL

COUNSEL:
DONA MASTIN (PET)...RUSSAKOW, RYAN & JOHNSON
JOEL J LOQUVAM (RES)...PRO/PER

No file available for review.

RELATED FILE= CONPS0600075.

FILE IS IN LAW & MOTION.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800132

CASE NAME: LAWRENCE E. MILTON & MARGARET A. MILTON TRUST

SEE ALSO 6 & 7

HEARING:

Hearing Re: NTC OF DEMURRER AND DEMURRER TO PTN TO DETERMINE E.

COUNSEL:

DONA MASTIN

(PET)...RUSSAKOW, RYAN & JOHNSON

JOEL J LOQUVAM

(RES)...PRO/PER

No file available for review.

RELATED FILE= CONPS0600075.

FILE IS IN LAW & MOTION.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800252

CASE NAME: ELMER LAWRENCE WILMES

HEARING:

Petition for Probate, Letters of Tstmnty with full authority under IAEA.

COUNSEL:

ARLENE ANN WILMES (PET)...MARTIN E KELLER
ELMER LAWRENCE WILMES (DEC)...

GENERAL INFORMATION special letters issued 4-21-08.

THIS CASE IS SET FOR HEARING ON Petition for probate with full I.A.E.A. and no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will is not self proving. File proof of subscribing witness.
2. Will waives bond.
3. File proof of publication.

RECOMMENDATION:

Need to correct notes. If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 12-8-08. Set hearing for filing of accounting and/or status report for 7-13-09. Any accounting to be filed 30 days in advance.

NMT

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800284

CASE NAME: DAN V. MACIAS

HEARING:

Petition for Probate, Letters of Tstmnty with full authority under IAEA.

COUNSEL:

PAMELA CASPERS (PET)...SABBAH MACKOUL
DAN V. MACIAS (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA, by daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need proof of publication.
2. Petitioner is the sole intestate heir and waives bond. Petitioner is a resident of the State of Arizona.
3. Petitioner alleges a purported will was deposited for safekeeping with the court, but that the purported will does not meet Pr. C. §§6011 and 6012 requirements. The will has been ordered from Court Records Center for review. **Will received. Upon review of the will, it appears that the will is not valid in that the material provisions are not in decedent's handwriting and the will is only signed by one witness.**

RECOMMENDATION:

RFA subject to note 1, no bond. If approved, set future hearings for filing of Inventory & Appraisal on **12/8/08** and for Accounting Review on **7/13/09**. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800286

CASE NAME: MICHAEL ANGELO BENEDETTO

HEARING:

Petition for Probate, Letters of Tstmnty with full authority under IAEA.

COUNSEL:

ANGELO R. BENEDETTO (PET)...AMY YORK GARRETT
GREGORY BENEDETTO (PET)...AMY YORK GARRETT
MICHAEL ANGELO BENEDETTO (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Notice of Petition to Administer Estate and proof of service filed. However, it is unclear how service was completed as item 3 of the proof of service is incomplete. Need proper proof of service.
2. Notice is given to American Society for the Prevention of Cruelty to Animals in New York and to Missionaries of Charity, Mother M. Teresa M.C. of Charity, Calcutta, India in New York. As the decedent was a resident of California and the will is executed in California, question the authority to notice out-of-state local chapters. Need verified supplement.
3. Will nominates and waives bond as to petitioner Gregory Benedetto only; petitioner is a resident of Pennsylvania. Angelo Benedetto is nominated by Gregory as co-executor/administrator; Angelo Benedetto resides in Connecticut. Estimated estate value is \$150,000 in personal property. Court may wish to set full bond at \$150,000 or minimum bond at \$20,000. JTD

RECOMMENDATION:

RFA subject to notes 1-2, Court's determination re bond. If approved, set future hearings for filing of Inventory & Appraisal on **12/8/08** and for Accounting Review on **7/13/09**. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(kra/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: RPRRS01236

CASE NAME: ESTATE OF HANRY KUTCHARIAN

HEARING:

SECOND AND FINAL Account and Report of ROUBEN KUTCHARIAN and
Petition for allowance of fees filed.

COUNSEL:

GEORGE KUTCHARIAN (PET)...HELM HANRAHAN & MYERS
HANRY KUTCHARIAN (DEC)...
ROUBEN KUTCHARIAN (ADM)...HELMS & MYERS
BOND SERVICES OF CALIFORNIA (PRO/PER)...PRO/PER

GENERAL INFORMATION Continued from 11-13-07. Nothing new filed.

Continued from 12-18-07. Nothing new filed.

Continued from 01/22/08 at request of counsel. First supplement filed on 01/22/08.

**Continued from 3/3/08 at request of counsel as a 2nd supplement is being submitted.
Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Second and final account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of successor administration issued 6/21/05.
2. Petitioner reimbursed himself, without court authority, \$5,458.95 out of estate funds for various expenses including \$1,657.50 for a family luncheon. Amount is over one-quarter of estate value. Need P&As supporting ability to reimburse these amounts without court approval and for the items listed. Alternatively, suggest court set OSC re surcharge. **Petitioner states that \$3,335.75 was for a new memorial for the grave to match his post deceased brother. Also, the luncheon expense is claimed to be an Armenian Custom when a man dies at an early age to have a "celebration". Question why this luncheon was 8 years after the decedent's death and 4 years after the post deceased brother. In response to this delay the petitioner alleges that this was the first time funds became available to pay the cost. Judge to decide.**

3. Petitioner proposes distribution one-half to surviving spouse and one-half to himself. Petitioner asserts that intestate succession would have been equally to surviving spouse and mother but that mother disclaimed interest in estate and petitioner is sole issue of mother. However, petitioner mentions elsewhere that decedent also left a brother who died after decedent. This would appear to mean that 2 children of the parent survived the decedent. Question why the one-half of estate not going to surviving spouse would not pass to the issue of parent (brother) who was alive when decedent died per Pr.C. 282 (which treats the disclaiming mother as predeceased) and Pr.C. 6402(c). (The issue of intestate succession is determined as of the date of death of this decedent and the fact that the brother post-deceased would not appear to be determinative.) Need verified supplement and/or P&As addressing and supporting proposed distribution, or amended proposed distribution. **Supplement now includes the post deceased brother's (George Kutcharian) surviving spouse (Susana Chan) to receive $\frac{1}{4}$ of the decedent's estate. Question is did mother of the post deceased son disclaim her interest in his portion of the estate? Also, did the post deceased brother have any surviving children? This would change the division of the $\frac{1}{4}$ of the post deceased brother's share of the estate. Need to file verified supplement. *In the second supplement petitioner contends that as George died without issue his surviving spouse is entitled to his $\frac{1}{4}$ share. This is not correct. Assuming George died intestate his $\frac{1}{4}$ share would be divided between the surviving spouse and the surviving mother of George.***
4. Petitioner waives compensation.
5. Atty requests \$7,402.23 statutory fees. There is only one statutory fee per case. (Pr.C. 10814.) Petitioner reports that counsel for prior administrator has already been allowed \$2,225 yet no reduction in the current request has been made. Need verified supplement. **First supplement only reiterates the amount requested and merely states that the said amounts should be allowed. Is counsel stating that this is an extraordinary fee? If so file the proper request for extraordinary fees. *In the second supplement counsel alleges that the additional fee is the fee allowed under Pr.C. § 10953. Court allowed this payment on 4-26-05. Such payments are permissible when the accounting is done for a dead or incapacitated personal representative. Recommended for approval.***
6. Petitioner requests \$5,000 reserve. Judge to decide.

RECOMMENDATION

Need to clear notes 3. If petition granted court will have to set future dates. Set hearing for filing of receipts and final discharge order for 5-11-09.
(NMT/cbr/KRA/NMT)

FUTURE HEARING DATES:

5/13/08 Hearing Re: MOTION TO BE RELIEVED AS COUNSEL.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: RPRRS01654

CASE NAME: ***MASTER FILE ROBERT EMMETT DOHERTY***

HEARING:

Motion re: CLARIFICATION AND RECONSIDERATION OF STATEMENT filed by
Petitioner JEANINE BENENATI

COUNSEL:

DARRYL DOHERTY (PET)...GERALD H. OLDFIELD
ROBERT EMMETT DOHERTY (DEC)...
MARK R DOHERTY (PET)...HARTNELL, LISTER & MOORE
WELLS FARGO CARD SERVICES (CLA)...RORY W CLARK
MARY DOHERTY (TP)...ALTHOUSE & MCDONOUGH
WESTERN SURETY COMPANY (PRO/PER)...PRO/PER
JAMES R DUNN (PRO/PER)...PRO/PER

No notes. Judge to decide.

FILE IS IN LAW & MOTION.

FUTURE HEARING DATES:

1/29/09 Hearing re Final Discharge

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS04986

CASE NAME: ESTATE OF MONA M GSOELL

SEE ALSO 11A

HEARING:

FIRST AND FINAL Account and Report of MONIQUE A GSOELL and
Petition for allowance of fees filed.

COUNSEL:

MONIQUE A GSOELL (PET)...MARTIN E KELLER
MONA M GSOELL (DEC)...
DEPT. OF HEALTH SERVICES (TP)...PRO/PER

GENERAL INFORMATION

Continued from **10-6-06, 1/22/07 and 3/19/07** at request of counsel. Nothing new filed.
Continued from **5/7/07**. No appearance. Nothing new filed. Clerk mailed notice.
Continued from **6/25/07**. No appearance. Court also set OSC re sanctions and ordered
client and counsel to be present at next hearing. Clerk mailed notice. Nothing new filed.
Continued from **7-30-07** at request of counsel to file amended petition. Nothing new filed.
Continued from **9/10/07, and 10/22/07 and 12/6/07 and 1/24/08** at request of counsel to
file verified petition. Nothing new filed.

Continued from 3/17/08 at request of counsel to clear probate notes.

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final
distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need notice of hearing and proof of service.
2. Report is not signed or verified by petitioner. Need verification.
3. Report indicates the real property asset was sold during this administration.
Need copy of escrow closing statements per Local Rule 20-910. Also, need
notice of Proposed Action per Pr.C.§10580.

4. Petitioner alleges that the Dept of Health Services will not pursue the claim made and that a copy of the notification is attached. However, no such attachment is affixed to the petition. Please file same.
5. Report indicates preliminary distributions were made to four of five heirs without prior court authorization. However, there does not appear to be any loss to creditors or injury to the estate. JTD
6. Need receipts for preliminary distributions.
7. Need copies of bank statements verifying balance of property on hand per local rule 20-908.
8. Need Graduated Filing Fee Schedule per CRC Rule 7.552
9. Petitioner and attorney each request \$2,440 statutory compensation/fee. Calculated. Ok.

RECOMMENDATION

Need to clear notes.

(/gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS04986

CASE NAME: ESTATE OF MONA M GSOELL

SEE ALSO 11

HEARING:

WAIVER OF Account and Report of MONIQUE A GSOELL and Petition for fees

COUNSEL:

MONIQUE A GSOELL (PET)...MARTIN E KELLER

MONA M GSOELL (DEC)...

DEPT. OF HEALTH SERVICES (TP)...PRO/PER

1st & final account filed. See notes on prior page (matter #11).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS05952

CASE NAME: MTTR OF THE KAYLAH C ROOT SPECIAL NEEDS TRUST

HEARING:

Petition for TO APPROVE THIRD ACCOUNT AND REPORT OF TRUSTEE

COUNSEL:

PFF BANK & TRUST (TEE)...SCOTT GROSSMAN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 3rd account current of SNT

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting covers period: 1/1/07 – 1/31/08.
2. Assets on hand: \$305,677.31.
3. Petitioner requests fees of \$2,532.94 representing .75% of the assets on hand for this accounting period. JTD
4. Petitioner requests the court allow fees to IBAR Settlement Company for its services as the trustee advisory committee in the amount of \$2,532.94. JTD
5. Attorney requests fees of \$615.75. Billed at \$275/hour for 2.33 hours. Itemized. JTD

RECOMMENDATION:

RFA subject to court's determination of fees. If approved court to set next hearing re Accounting Review for **5/11/09**. Accounting to cover the period of 2/1/08 – 1/31/09. Any accounting to be filed 30 days in advance.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06134

CASE NAME: MTR OF ROBERT JOHN SIPCHEN SR

SEE ALSO 14

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
TIMOTHY J SIPCHEN (PET)...MARTIN E KELLER
ROBERT J SIPCHEN JR (PET)...MARTIN E KELLER
ROBERT JOHN SIPCHEN SR (DEC)...

GENERAL INFORMATION:

Letters of Administration issued 11-30-04 (full authority, no bond)
Continued from **01-20-06 and 04-28-06**. counsel advises records were destroyed in a fire
and petitioner is trying to retrieve documents from IRS. Nothing new filed.
Continued from **07-14-06, 10-20-06, 02-01-07, 03-29-07, 06-14-07, 08-09-07, 10-04-07,**
12-06-07, and 01-31-08 at request of counsel to clear notes. Nothing new filed.
Continued from 3/27/08 at request of counsel to file an I&A.

THIS CASE IS SET FOR HEARING ON: Inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1 Need inventory and appraisal (3 years overdue).

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, court may set a hearing in accord
with Pr.C. § 2614.5 and/or 8505.
(/vet/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06134

CASE NAME: MTR OF ROBERT JOHN SIPCHEN SR

SEE ALSO 13

HEARING:
Probate status report filed.

COUNSEL:
TIMOTHY J SIPCHEN (PET)...MARTIN E KELLER
ROBERT J SIPCHEN JR (PET)...MARTIN E KELLER
ROBERT JOHN SIPCHEN SR (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON status report of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need final I&A. See notes on prior page.
2. Decedent died in 2002. Petitioner alleges the real property of the estate was destroyed by fire in 2003; in 2006 the insurance claim was resolved and the co-administrators intend to rebuild the residence. Presently plans are being prepared and the administrators believe the home will be rebuilt and the estate will be in a position to be closed by the end of summer.
3. Petitioner requests a continuance of one year.
4. Need notice of hearing and proof of service in accord with Pr.C.§12201.

RECOMMENDATION:

Need to clear notes. If approved court to set next hearing re Accounting/status report Review for 5/11/09. Any accounting to be filed 30 days in advance.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06284

CASE NAME: ESTATE OF ROBERT EARL JOHNSON

HEARING:

Hearing Re: REPORT OF STATUS OF ADMINISTRATION.

COUNSEL:

SHARON JOHNSON (PET)...SHERRI L KASTILAHN
ROBERT EARL JOHNSON (DEC)...
CONSCIOUSNESS FOUNDATION INC (TP)...PRO/PER
VON ROBINSON ()...

GENERAL INFORMATION:

Continued from 1/10/08 at request of counsel for proper notice. Sherri Kastilahn to check with the State Bar for status on Von Robinson. Nothing new filed.

Continued from 2/25/08 at request of counsel. Court notes that bench warrant issued for the arrest of Von Robinson on 11/8/07 is still Active.

THIS CASE IS SET FOR HEARING ON report of status of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges the estate is not in a condition to be closed as the estate assets were placed in the former attorney's client trust account and that this and related matters concerning the former attorney and improper distributions are currently before the State Bar.
2. Petitioner requests an additional 6 month extension in order to close the estate.
3. **Notice complete.**

RECOMMENDATION:

Court's discretion.
(KRA/kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS07292

CASE NAME: ESTATE OF RICHARD L BOOSTROM

HEARING:
Probate status report filed.

COUNSEL:
STEVE BOOSTROM (PET)...TOMLINSON, NYDAM AND PRINCE
RICHARD L BOOSTROM (DEC)...
WELLS FARGO CARD SERVICES (TP)...PRO/PER

GENERAL INFORMATION **Continued from 4-7-08 at request of counsel for service.**
Nothing new filed.

THIS CASE IS SET FOR HEARING ON Status report of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters of administration issued 11/22/06.
2. Petitioner alleges the estate is not in a position to close as decedent's real property needs to be sold and there are ongoing negotiates for a creditor claim filed by a friend of decedent. Petitioner requests an additional 9 months to a year to conclude the estate administration.
3. Notice of hearing and proof of service filed. However, notice of hearing must include specific language pursuant to Pr.C.§12201. Need proper notice.

RECOMMENDATION:
Need proper notice.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS002910

CASE NAME: ESTATE OF HELEN ELIZABETH MAURY

HEARING:
Probate status report filed.

COUNSEL:
LA REINA GLENN (PET)...MARTIN E KELLER
HELEN ELIZABETH MAURY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON report of status of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges the estate will be in a condition to be closed upon the filing of the final tax return.
2. Petitioner requests an additional 3 month extension in order to close the estate.
3. Need notice of hearing and proof of service in accord with Pr.C.§12201.

RECOMMENDATION:

Need notice then court's discretion.
(KRA/kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

CONSERVATORSHIP

DATE: 05/05/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800024

CASE NAME: RITA ANN NORTON

HEARING:

Hearing Re: CLEAR NOTES 5/6 (RE: CITATION/NOTICE).

COUNSEL:

NICHOLAS L. NORTON (PCR)...MCCLELLAN & WILSON
RITA ANN NORTON (PCE)...DUANE P BOOTH

GENERAL INFORMATION

On 3/6/08 Court finds the matter re Petition for Appointment of Conservator is contested and court trial is set. Court continues hearing for return of citation and proof of service of notice of hearing. Mr. Wilson is ordered to appear on 5/5/08. Mr. Booth's appearance is not necessary.

THIS CASE IS SET FOR HEARING ON review of return of citation and notice of hearing on petition for appointment

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Citation returned.
2. Notice of Hearing filed.

RECOMMENDATION:

Court may wish to take matter off calendar.

(kra/vet)

FUTURE HEARING DATES:

5/15/08 Court Trial

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 05/05/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02728

CASE NAME: MTR OF JULIE A FISCHBACH

HEARING:
Accounting Review

COUNSEL:
DONNA C FISCHBACH (CP)...HARTNELL, HORSPOOL & FOX
JULIE A FISCHBACH (CTP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review of SNT

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 7/23/07 court approved the 1st account; 2nd accounting now due covering the period 3/1/07 – 2/29/08.
2. On 7/23/07 court terminates the conservatorship estate; conservatorship of the person remains in effect. Need amended letters submitted and issued.
3. No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **MISC.**

DATE: 05/05/08 TIME: 1:30 DEPT: E2

CASE #: VPRVS002770

CASE NAME: ESTATE OF GERALDINE ZELLA MURPHY

HEARING:

Court Trial -- Estimated trial length *** hrs.

COUNSEL:

JACK STANLEY KING (PET)...CALDWELL, KENNEDY & PORTER, A.
GERALDINE ZELLA MURPHY (DEC)...
RONALD R KING (TP)...CAROLYN J SCHAUF.
BRYAN C HARTNELL (HARTNELL, LISTER & MOORE)...HARTNELL,
RONALD R KING (HARTNELL LISTER & MOORE)...HARTNELL

No calendar notes as this is on for Court Trial.

FUTURE HEARING DATES:

5/08/08 Petition for suspension of powers and removal of executor; and for appointment of special etc